

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

NAZEER SMITH, )  
                        )  
Plaintiff,         )  
                        )  
v.                     )                      Case No. 3:15-cv-1138-NJR-DGW  
                        )  
C/O GROVES and C/O BOWERMAN,     )  
                        )  
Defendants.         )

**ORDER**

**WILKERSON, Magistrate Judge:**

Now pending before the Court is the Motion for Sanctions filed by Plaintiff, Nazeer Smith, on January 4, 2017 (Doc. 29). The Motion is **DENIED**.

Defendants have sought two extensions of time to respond to interrogatories served by Plaintiff but which, according to Defendants, were undated and did not include a certificate of service (Docs. 27 and 30). The extensions were granted and Defendants' responses are due by January 6, 2017 (Doc. 31). Plaintiff, however, asserts that he did attach a certificate of service to the discovery requests, which included a request to produce. Thus, Plaintiff argues that Defendants are providing false and misleading statements to the Court. Counsel for Defendant is an officer of the court and is presumed to be truthful in his representations to the Court. There is no showing of prejudice as a result of the dispute regarding the certificate of service. Sanctions will not issue.

**DATED: January 5, 2017**



The image shows a handwritten signature "Donald G. Wilkerson" in blue ink, positioned above the official circular seal of the United States District Court for the Southern District of Illinois. The seal features an eagle with wings spread, holding an olive branch and arrows, surrounded by a circular border with the text "UNITED STATES DISTRICT COURT" at the top and "SOUTHERN DISTRICT OF ILLINOIS" at the bottom.

**DONALD G. WILKERSON**  
**United States Magistrate Judge**